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**theguardian**

# Bradley Manning verdict brings anger, disappointment – and relief

Manning supporters condemn long sentence in store for army private but acquittal of 'aiding the enemy' charge brings relief

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**Ed Pilkington** at Fort Meade

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'Aiding the enemy' is an 'any person' law that renders it equally applicable to civilians as to military personnel such as Manning. Photograph: Jacquelyn Martin/AP

Transparency campaigners condemned the harsh sentence in prospect for [Bradley Manning](#), but journalists and lawyers closely associated with the trial were relieved with the acquittal for the most serious charge – that he "aided the enemy" by transmitting state secrets to [WikiLeaks](#).

In a statement, Manning's family said they were disappointed by so many guilty findings – he was deemed to be guilty of 17 of the 22 counts against him in their entirety and three others in an amended form. But the statement, written by a US-based relative, said the family was "happy that Judge Lind

agreed with us that Brad never intended to help America's enemies in any way."

Yochai Benkler, a Harvard law professor who has written influentially on the role of WikiLeaks and who was a key defence witness in the trial, said that in finding Manning not guilty of "aiding the enemy" the judge presiding over the case, Colonel Denise Lind, had made an "extremely important decision, under what must have been trying professional conditions, by denying the prosecution's effort to launch the most dangerous assault on investigative journalism and the free press in the area of national security that we have seen in decades."

Benkler said that "sentencing is yet to come, but it is critical that we not let the relief over the 'not guilty' verdict on Article 104 distract us from the potential decades of imprisonment Pfc Manning still faces for those offenses in which the Judge found him guilty.

"Leakers and whistleblowers, together with the investigative journalists they inform, are a critically important pressure valve, however imperfect, that protect us from an overreaching national security establishment that uses the justifiable needs of operational secrecy to avoid scrutiny for its errors of judgment, incompetence, or malfeasance.

"While the 'aiding the enemy' charge was the most extreme of the charges Pfc Manning faced, the prospect of decades of imprisonment is still too high a price for any democracy to demand of its whistleblowers."

Jennifer Robinson, a London-based lawyer for WikiLeaks, the anti-secrecy organisation that received more than 700,000 documents from Manning and published many of them on the internet, said that the soldier's trial was at the centre of Obama's war on whistleblowers and the press and was a direct attack on national security journalism and the first amendment.

She said that the fact that Manning was found guilty of all eight offences of which he'd been accused under the 1917 Espionage Act was a very serious blow.

"This is a serious and disturbing precedent that cannot be allowed to stand: it is the first time that a whistleblower has been convicted of espionage." She added that throughout this trial the US government has made clear its intention toward WikiLeaks and its founder Julian Assange.

"The convictions rendered today will undoubtedly be used in the ongoing criminal probe against WikiLeaks. This has serious implications for all media organisations: the prosecution said explicitly that they would pursue the same legal approach of the recipient had been the New York Times instead of WikiLeaks."

Bill Keller, the former editor of the New York Times, heralded the not guilty verdict on this charge as a

"victory of common sense over petty vindictiveness." Under Heller's editorship in 2010 the New York Times joined forces with the Guardian and Der Spiegel to publish many of the first WikiLeaks disclosures.

Keller said that in his opinion, Manning had displayed a complicated mix of personal and political motives, but that the judge had been right to dismiss the US government's allegation that he had knowingly assisted al-Qaida by transmitting documents to WikiLeaks. "I haven't seen any evidence he intended or even imagined that his disclosures would help America's enemies."

Amnesty International's senior director of international law and policy, Widney Brown, said: "It's hard not to draw the conclusion that Manning's trial was about sending a message: the US government will come after you, no holds barred, if you're thinking of revealing evidence of its unlawful behaviour."

Free speech organisation Index on Censorship also condemned the guilty verdicts. The group's Sean Gallagher said: "Manning is a whistleblower who leaked files in order to inform the world about what really happened during the Iraq War to no personal gain. The US government should abide by its duty to protect whistleblowers who speak out in the public interest."

In its successful effort to rebuff the "aiding the enemy" accusation, Manning's defence team leant heavily on web chats between the soldier and a transgender woman called Lauren McNamara, (who was at the time a man going by the internet handle ZJ). Manning's lead lawyer, David Coombs, told the court that Manning's comments in the course of the ZJ chats reflected the soldier's true character in its purest form.

McNamara said she was relieved that the government's effort to nail the soldier for "aiding the enemy" had failed. "It was inappropriate, and an excessive overreach by the government," she said.

In the chats, which were published for the first time in full by the Guardian, Manning talked about having "foreign affairs on my mind constantly now". Writing shortly before he was deployed to Iraq as an intelligence analyst in 2009, he adds that he was "delving deeper into philosophy, art, physics, biology, politics" in the hope of providing "more information to my officers and commanders, and hopefully save lives."

McNamara said that her conversations with Manning showed that he was "someone who was concerned about the well-being of his country and about the ability of the military to operate effectively - I don't believe that he would have done anything to endanger American troops".

Even Adrian Lamo, the former hacker who informed on Manning to the US authorities after the soldier confided in him about his leaking activities in a series of web chats, told the Guardian that he was pleased that the "aiding the enemy" charge had failed. "The rest of the charges are sufficiently numerous

and sweeping to cover everything that Manning did – there is no need for the government to have tacked on this extra charge," he said.

Lamo said that during his internet interactions with Manning he had at no point felt that Manning had any malice aforethought in trying to help enemies of the US. "He incidentally did a little to help the enemy, but I don't think he was in a state of mind to be capable of contemplating the consequences of his actions in doing that intentionally."



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